

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GERONIMO PIZARRO-CALDERÓN

Defendant.

CRIMINAL NO. 99-077 (JAF)
Defendant No. 10

**DEFENDANT GERONIMO PIZARRO-CALDERÓN'S MOTION FOR
CONTINUANCE OF FINAL REVOCATION HEARING**

**TO THE HONORABLE JOSE A. FUSTE
UNITED STATES CHIEF DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO:**

The defendant **GERONIMO PIZARRO-CALDERÓN** respectfully moves for a continuance of the final revocation hearing set by the Court for September 11, 2007 at 1:30 p.m. (Docket # 736). As grounds for this motion, the Defendant informs the Court that a Motion for Production of Documents directed to the U.S. Probation Office has been filed today. The Defendant needs at least ten days to review the evidence currently in possession of the U.S. Probation Office, in particular, any documents setting forth the U.S. Probation Office's right to collect urine samples outside the statutory limit established by *18 U.S.C. § 3583 (d)*.

Counsel reviewed the district court docket through PACER and did not see any order modifying Mr. Pizarro-Calderon's conditions of supervision as required by the First Circuit in *United States v. Melendez-Santana*, 353 F.3d 93 (1st Cir. 2003). The U.S. Probation Office's Motion Notifying Violations of Conditions (Dkt. # 782) is based on seven urine samples and stalls which were not authorized by a Court order.

WHEREFORE it is respectfully requested that the Court grant the Defendant a ten day continuance of the final revocation hearing scheduled by the Court for tomorrow.

I HEREBY CERTIFY that a true and exact copy of this document has been filed through the Court's ECF/ECM which will send notification of this filing to all parties of record. A copy of this document has also been sent via facsimile to the United States Probation Office for the

district of Puerto Rico.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico on this the 10th day of September 2007.

/s/ Ramon M. Gonzalez
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